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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

23

Application Number

10/522,954

Filing Date

January 31, 2005

First Named Inventor

Beverly L. Davidson

Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket Number

17023.045US2

### ENCLOSURES (Check all that apply)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                     | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC  |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)   |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):   |
| <input type="checkbox"/> Express Abandonment Request                              | <input type="checkbox"/> Request for Refund   | Declaration and POA (3 pg); Seq. List Statement (1 pg); paper copy of sequence listing (10 pg); Amendment (4 pg); diskette with Seq List; Check (\$65); check (\$125); postcard |
| <input type="checkbox"/> Information Disclosure Statement                         | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
|   | <input type="checkbox"/> Landscape Table on CD  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                   | <input type="checkbox"/> Remarks  |   |
| <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application |   |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53         |   |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	VIKSINIS HARRIS & PADYS PLLP		
Signature			
Printed name	Ann S. Viksnins		
Date	February 7, 2006	Reg. No.	37,748

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Lynda Mau	Date	February 7, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**S/N 10/522,954**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant :	Beverly L. Davidson et al.	Art Unit :	Unknown
Serial No. :	10/522,954	Examiner :	Unknown
Filed :	January 31, 2005	Docket :	17023.045US2
Title :	ALLELE-SPECIFIC SIRNA-MEDIATED GENE SILENCING		

**COMMUNICATION RE: MISSING REQUIREMENTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the "Notification of Missing Requirements" (copy enclosed), we submit the Combined Declaration and Power of Attorney, Statement to Support Filing and Submission in Accordance with 37 CFR §§ 1.821-1.825 with attached paper copy of sequence listing and diskette containing sequence listing, Amendment in Response to Notice Under 37 CFR §§ 1.821-825 and a check in the amount of \$65.00 to cover the small entity surcharge. Also enclosed is a check in the amount of \$125.00 to cover the Utility Application Size Fee.

Applicants assume the application is now in proper order and in condition for examination. Please direct any inquires to the undersigned attorney at 952-876-4091.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 50-3503.

02/14/2006 MKAYPRGH 00000100 10522954

01 FC:1617	-130.00 0P
02 FC:1206	-60.00 0P

Adjustment date: 03/20/2006 SAKMED1  
02/14/2006 MKAYPRGH 00000100 10522954

01 FC:1617	-130.00 0P
02 FC:1206	-60.00 0P

03/20/2006 SAKMED1 00000001 10522954

01 FC:2681	125.00 0P
02 FC:2617	762.00 0P

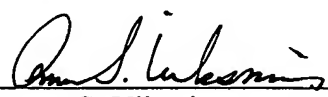
Date: February 7, 2006

Respectfully submitted,

Beverly L. Davidson et al.

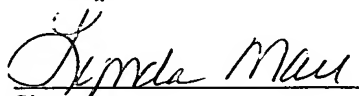
By their Representatives,

Viksnins Harris & Padys PLLP  
PO Box 111098  
St. Paul, MN 55111-1098  
(952) 876-4091

By:   
 Ann S. Viksnins  
 Reg. No. 37,748

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7th day of February 2006.

Lynda Mau  
Name

  
Signature



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,954	Beverly L Davidson	17023-045US2/03054

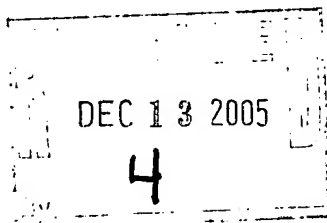
INTERNATIONAL APPLICATION NO.
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PCT/US03/16887

I.A. FILING DATE	PRIORITY DATE
05/26/2003	08/05/2002

53137

VIKSINIS HARRIS & PADYS PLLP  
 P.O. BOX 111098  
 ST. PAUL, MN 55111-1098



CONFIRMATION NO. 4645

371 FORMALITIES LETTER



\*OC000000017597604\*

Date Mailed: 12/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/31/2005
- Preliminary Amendments filed on 01/31/2005
- U.S. Basic National Fees filed on 01/31/2005
- Priority Documents filed on 01/31/2005
- Power of Attorney filed on 05/24/2005
- Specification filed on 01/31/2005
- Claims filed on 01/31/2005
- Abstracts filed on 01/31/2005
- Drawings filed on 01/31/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-120** for a Large Entity:

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The specification and drawings contain more than 100 pages. Applicant owes **\$250** for **29** pages in excess of **100** pages for a non-small entity.

(A previous payment of **\$500** will be applied to the additional fees indicated above.)

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 308-9140 EXT 208

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PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,954	PCT/US03/16887	17023-045US2/03054

FORM PCT/DO/EO/905 (371 Formalities Notice)